

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

REBECCA LEONARD, et al.	:	
	:	CIVIL ACTION
Plaintiffs	:	
v.	:	
	:	NO. 11-7418
BEVERLY MACKERETH, in her official	:	
capacity as Secretary of Public Welfare	:	
for the Commonwealth of Pennsylvania	:	
	:	
Defendant.	:	

**ORDER**

**AND NOW**, this 10<sup>th</sup> day of February, 2014, upon consideration of the Plaintiffs' Motion for Summary Judgment (Docket No. 51), Defendant's Response in Opposition (Docket No. 58), Plaintiffs' Amended Reply (Docket No. 62), Defendant's Motion for Summary Judgment (Docket No. 52), Plaintiffs' Response in Opposition (Docket No. 57), and Defendant's Reply (Docket No. 63) it is hereby **ORDERED** that:

1. Plaintiffs' Motion for Summary Judgment (Docket No. 51) is **GRANTED** as to liability only and **DENIED** as to Plaintiffs' request for declaratory and injunctive relief.
2. Defendant's Motion for Summary Judgment (Docket No. 52) is **DENIED** as to liability and Plaintiffs' request for injunctive relief and **GRANTED** as to Plaintiffs' request for declaratory relief.
3. **JUDGMENT IS ENTERED** for Plaintiffs Rebecca Leonard, Matthew Leonard, Michael Unger, Michael Boss, Elisha Rothman, and Kimberly Hoffman against Defendant Beverly Mackereth in her official capacity as Secretary of Public Welfare for the Commonwealth of Pennsylvania as to liability only.
4. **JUDGMENT IS ENTERED** for Defendant Beverly Mackereth in her official

capacity as Secretary of Public Welfare for the Commonwealth of Pennsylvania and against Plaintiffs Rebecca Leonard, Matthew Leonard, Michael Unger, Michael Boss, Elisha Rothman, and Kimberly Hoffman as to declaratory relief only.

It is so **ORDERED**.

BY THE COURT:

*s/ Ronald L. Buckwalter*

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RONALD L. BUCKWALTER, S.J.